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SEP 26 2023

AT BALTIMORE  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

BY

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DEPUTY

**V.**

**Defendant.**

✧ ✧ ✧ ✧ ✧ ✧ ✧ ✧ ✧ ✧ ✧ ✧

**CRIMINAL NO.**

**(Possession of a Firearm by a Prohibited Person, 18 U.S.C. § 922(g); Forfeiture, 18 U.S.C. § 924(d), 21 U.S.C. § 853(p), and 28 U.S.C. § 2461(c))**

\*\*\*\*

**INDICTMENT**

**COUNT ONE**

**(Possession of a Firearm by a Prohibited Person)**

The Grand Jury for the District of Maryland charges that:

On or about June 2, 2023, in the District of Maryland, the defendant,

ROBERT SMITH, III,

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, to wit, a Taurus PT 738 TCP .380 caliber semiautomatic pistol bearing serial number 05131F, and the firearm was in and affecting commerce.

18 U.S.C. § 922(g)

**FORFEITURE ALLEGATION**

The Grand Jury for the District of Maryland further finds that:

1. Pursuant to Fed. R. Crim. P. 32.2, notice is hereby given to the defendant that the United States will seek forfeiture as part of any sentence in accordance with 18 U.S.C. § 924(d), 21 U.S.C. § 853(p), and 28 U.S.C. § 2461(c), in the event of the defendant's conviction under Count One of this Indictment.

**Firearms Forfeiture**

2. Upon conviction of the offense alleged in Count One of this Indictment, the defendant,

**ROBERT SMITH, III,**

shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in the offense, including, but not limited to Taurus PT 738 TCP .380 caliber semiautomatic pistol bearing serial number 05131F.

**Substitute Assets**

3. If, as a result of any act or omission of the defendant, any of the property described above as being subject to forfeiture:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,

the United States shall be entitled to forfeiture of substitute property up to the value of the forfeitable property described above pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

18 U.S.C. § 924(d)  
21 U.S.C. § 853(p)  
28 U.S.C. § 2461(c)

Erek L. Barron / USF  
Erek L. Barron  
United States Attorney

A TRUE BILL:

**SIGNATURE REDACTED**

\_\_\_\_\_  
Foreperson

9/26/23  
Date